IN THE HIGH COURT OF JUDICATURE AT PATNA
C.R. No.1879 of 2007
ARUP KUMAR BOSE
Versus
ANANDA KUMAR BOSE & ORS
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18 24.11.2010 It is submitted on behalf of the petitioner that in view of the law laid down by the Apex Court in **Shiv Shakti Coop. Housing Society, Nagpur Vs. Swaraj Developers and others,** reported in **(2003)6 Supreme Court Cases 659 and Surya Dev Rai Vs. Ram Chander Rai and others,** reported in **(2003)6 Supreme Court Cases 675** as well as by a Division Bench of this Court in **Durga Devi Vs. Vijay Kumar Poddar,** reported in **2010(2) PLJR 954,** this Civil Revision would not be maintainable. Thus, learned counsel seeks permission to convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India.

Leave is granted.

Let the petitioner convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India within three weeks failing which this Civil Revision shall stand rejected as not maintainable without further reference to a Bench.

However, no order is being passed upon the office note dated 23.11.2010.

SC **(Dr. Ravi Ranjan, J.)**

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